

#31
(initials)

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July 28, 2003

Time: 2:30 PM
(Minneapolis, Minn.)

TO: Commissioner for Patents
Attn: George R. Evanisko
Patent Examining Corps
Facsimile Center
P.O.Box 1450
Alexandria, VA 22313-1450

FROM: Suneel Arora
OUR REF: 279.112US1

TELEPHONE: 703-308-2612

FAX NUMBER 703-746-4870

* Please deliver to Examiner George R. Evanisko in Art Unit 3762. *

Document(s) Transmitted: A Terminal Disclaimer (3 pgs) including authorization to charge the fee of \$110.00 for filing a statutory disclaimer to Deposit Account 19-0743.

Total pages of this transmission, including cover letter: 4 pgs.

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In re. Patent Application of: David B. Krig et al.

Examiner: George R. Evanisko

Serial No.: 09/316,515

Group Art Unit: 3762

Filed: May 21, 1999

Docket No.: 279.112US1

Title: METHOD AND APPARATUS FOR TREATING IRREGULAR VENTRICULAR CONTRACTIONS SUCH AS DURING ATRIAL ARRHYTHMIA

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

By: S. Arora
Name: Suneel Arora
Reg. No. 42,267

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Gregory Hanson

08/07/2003 BDENNY 00000001 190743 09316515

July 28, 2003
Date of Transmission

S/N 09/316,515PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David B. Krig et al. Examiner: George R. Evanisko
Serial No.: 09/316,515 Group Art Unit: 3762
Filed: May 21, 1999 Docket: 279.112US1
Title: METHOD AND APPARATUS FOR TREATING IRREGULAR
VENTRICULAR CONTRACTIONS SUCH AS DURING ATRIAL
ARRHYTHMIA

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Suneel Arora, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on May 21, 1999. I am making this petition on behalf of Cardiac Pacemakers, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. §3.73(b)

Your petitioner, Cardiac Pacemakers, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/316,515) and to U.S. Patent No. 6,430,438. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for the above-identified patent application (Serial No. 09/316,515) was recorded on May 21, 1999 on Reel 009989, Frames 0254 - 0258, with the United States Patent and Trademark Office. The assignment for U.S. Patent No. 6,430,438 was recorded on May 21, 1999 on Reel 009983, Frames 0937 - 0942, with the United States Patent and Trademark Office.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Cardiac Pacemakers, Inc., seeking to take the action set forth in this disclaimer.

TERMINAL DISCLAIMER

Serial Number: 09/316,515

Filing Date: May 21, 1999

Title: METHOD AND APPARATUS FOR TREATING IRREGULAR VENTRICULAR CONTRACTIONS SUCH AS DURING ATRIAL ARRHYTHMIA

Page 2
Dkt: 279.112US1**Terminal Disclaimer**

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6,430,438. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 6,430,438 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,430,438 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

TERMINAL DISCLAIMER

Serial Number: 09/316,515

Filing Date: May 21, 1999

Title: METHOD AND APPARATUS FOR TREATING IRREGULAR VENTRICULAR CONTRACTIONS SUCH AS DURING ATRIAL
ARRHYTHMIAPage 3
Dkt: 279.112US1**Fee Status**

The Commissioner of Patents and Trademarks is hereby authorized to charge the fee of \$110.00, which is required under 37 C.F.R. §1.20(d) to file a statutory disclaimer, and any additional fees deemed necessary, to Deposit Account No. 19-0743.

Respectfully submitted,

DAVID B. KRIG ET AL.

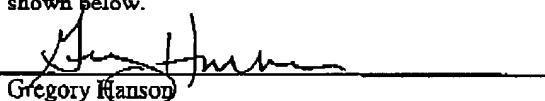
By their Representatives,

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Date July 28, 2003 By S. Arora

Suneel Arora
Reg. No. 42,267

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